

**THE CITY COUNCIL
GRAND FORKS, NORTH DAKOTA
19, 1997**

**PROCEEDINGS OF
OF THE CITY OF
Monday, May**

The city council of the city of Grand Forks, North Dakota met in its adjourned session at the Chester Fritz Auditorium at the University of North Dakota on Monday, May 19, 1997 at the hour of 5:00 o'clock p.m. with Mayor Owens presiding. Present at roll call were Council Members Beach, Polovitz, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; absent: Council Member Hanson - 1; 1 seat vacant.

Mayor Owens announced that anyone wishing to speak to any item may do so by being recognized prior to a vote being taken on the matter.

COMMENTS FROM CONGRESSMAN POMEROY

Congressman Pomeroy, who was in the audience, spoke to council and individuals in the audience, stating that the status of the Emergency Disaster Supplemental Appropriation Bill is that it is now in Conference Committee and the staff members of House and Senate conferees are working it over now; that things that are circulating about this particular disaster bill is that it may or may not get to the White House in a form that the President can sign and if there are extraneous matters unrelated to the disaster funding itself placed on the Bill, it could bring about a veto, in that event it would come back to Congress and either try to override or take off the matters that were objectionable and send it back again for presidential signature. He stated that he thinks that anything beyond this disaster bill enacted and signed by the President before Memorial Day would be completely unacceptable to the people of this country, it isn't just Grand Forks, there are 22 states also interested in this bill and any delay beyond this week would be unacceptable, and because of that he is very hopeful that Congressional majority and the White House will be able to understand what the American people want is something done now.

He stated he wanted to give credit to Mayor Owens, John Schmisek, John O'Leary and Ken Vein who came down and were very important at critical stage in the Senate when they considered this relief package, and were very important in the House effort. He stated that another component in their effort that have proven to be very important were the visits to Grand Forks of House Speaker Gingrich and Majority Leader Dick Armey.

He reported that last week in the House they had to go from zero funding for the CDBG to \$500 million so that they matched the Senate figure on the House floor, didn't want to go into Conference Committee with the different numbers and then compromise, and that they wanted that money to go into CDBG because there are an infinite number of places where needs exist and programs don't and have to have some local flexibility to invent and create the best ways to recover from this disaster. He stated that the allocation of the CDBG funds allows for this flexible innovative way to work out of this disaster. He stated that once the supplemental bill is completed the formal role for the Congressional delegation becomes more informal, that there will be roadblocks with agencies, etc.

despite agencies' best efforts. He further stated that any assistance his office or that of Senators Dorgan and Conrad can provide in working their way through these, they are eager to provide. He stated in Washington everyone talks to him about flood, but people understand courageous spirit and determination that you've brought to this challenge and that the character and strength of people has come through loud and clear on national news coverage.

SUSPEND AGENDA TO CONSIDER ITEMS RELATING
TO THE FLOOD

It was moved by council Member Glassheim and seconded by Council Member Hamerlik

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that we suspend the agenda and consider flood related items. Carried 12 votes affirmative.

Howard Swanson, city attorney, reported that staff has recommended that council

consider adoption of a primary recovery plan that involves five sub-parts or functions: 1) Acquisition and Relocation, 2) Redevelopment, which includes housing, business and industry, the downtown area and the riverbank; 3) Flood Mitigation, 4) Infrastructure, both repair and new established infrastructure, and 5) Redevelopment of local government.

1) Acquisition and Relocation.

Mr. Swanson stated that to address issue acquisition and relocation, the City will be put into a position that it can in coordination with FEMA programs for mitigation of future disasters initiate a program to acquire property and to relocate structures. There are multiple sources of funding for the program, however, none of those funds secure nor do we know the amount of funding that may become available; the first program is the 404 Voluntary Buyout Program. He stated that the 404 Buyout Program is a fund that is designated by FEMA and made payable to the State of North Dakota, it is based upon a formula of 15% of total damage within the disaster area and in this case the entire State of North Dakota is included within the disaster area; FEMA will pay 15% of that total figure (figure not yet determined as damage surveys still being completed), those funds will be paid to the State of North Dakota, the State has not yet determined in what fashion they will pay those funds out to local governments, that the State has ability to do advance funding to local communities but haven't made that decision. He stated that a second category of funding is called the 406 Program, that is a public assistance program that would pay for public infrastructure relocation (water treatment plant having to be moved), that is not based on a strict formula, and is direct funding with coordination through the State. He reported that FEMA reps. involved in the public assistance program have been in Grand Forks since day one and have been working to determine various funding sources and costs involved in this program. He reported that the other two areas of funding that can be used in acquisition and relocation are EDA funds and CDBG funds, those two programs are more flexible and provide more options to the council in applying monies for acquisition or relocation. He stated that under the

404 Program any property that is acquired voluntarily under that program cannot be redeveloped, that there will be a covenant that goes with the deed of that property, indicating the property cannot be redeveloped except for very limited purposes (open space type uses). The council may wish, either tonight or some future time, to authorize staff to initiate either a voluntary sign-up for acquisition in targeted areas or under certain circumstances, but if wish to begin process can do that. He stated that this funding would allow for structures that are in appropriate condition to be moved, will allow for those structures to be moved to new location, and can also be used to seal off basements, utilities at former location. He stated that there is one item that is going to be difficult to deal with in the acquisition and relocation program, and that is the fact that the Register of Deeds Office for Grand Forks County sustained severe damage during the flood and many, if not most, of those records are not presently available for review, and will slow down the process for doing title searches, impact how fast work can be completed, and suggested moving forward for those people within designated areas that would like to sign up, etc. He stated they are also investigating use of telephone number and staff person to accept those inquiries re. acquisition and relocation program. He stated it will be joint effort between city attorney, city engineer on this and assessor's office also involved as they will be coordinating determination of values, etc. He stated they should be aware that within areas of acquisition and relocation there are number of structures with substantial damage, some rise to level of posing imminent danger to public health and safety, those structures are being inspected this week by a team of bldg. inspectors, Army Corps of Engrs. structural engineers, reps. of public health department and reps of EPA who will provide factual reports in areas of structural integrity, Code compliance, health

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concerns and pollution/contamination issues; those buildings found to be imminently dangerous will be tagged and there will be a process for the demolition of those buildings. He reported that the council can also move forward in identifying property where damage doesn't rise to that level but which property owners voluntarily seek to have their property demolished and debris removed. He stated that under either of those circumstances, the property remains eligible for acquisition and buyout, the value will be based upon a pre-flood condition.

3) Flood Mitigation:

Mr. Vein, City Engineer and Director Public Works, reported on status of the flood mitigation plan, that there is an alternative analysis for flood control for the Greater Grand Forks region that is being prepared by the Corps of Engineers, they are looking at flood protection for both communities of Grand Forks and East Grand Forks and are in the process of evaluating three additional alternatives other than what had been prepared earlier this year, they are looking at the possibility of a diversion channel only that would handle the standard project flood, which is 169,000 c.f.per second flood flow, and also look at levees only alignment or combination of diversion channel/levee and will have something back to the community by early June and give us some idea of alignment for pure levee and combination, and if diversion channel only, no levee alignment so in reference to the proposed line that they have had on the map, this would be one of the mechanisms for validating that location on a permanent basis or what would be proposed for a future

flood protection project for the city. He reported they will continue to work with the Corps on details associated with that and they will report back to community and council when have a report.

Council Member Glassheim questioned whether they would consider effect of bridges and/or retention dams, and Mr. Vein reported not at this time, can't be done in timeframe set. It was noted that diversion channel would go around east side and both Red Lake and Red Rivers would be included, and would divert a majority if not all of the flow around the city, and only internal flow would continue to flow through the channel.

2) Redevelopment, which includes housing, business and industry, the downtown area and the riverbank:

John O'Leary, executive director Urban Development, reported that they have commissioned services of a consultant to do an analysis of who's been hurt by the flood, that information needed because need to know socio-economic demographic data about the victims of the flood in order to know what type of housing stock we're going to need, that information should be available in next five days, 2) they are opening a pre-application process for businesses damaged by the flood, financial loss, inventory loss, equipment or other monetary loss due to the flood should contact his office for pre-application and that information shared with other agencies (EDA, CDBG and used by city council when get further into allocation of CDBG funds), 3) they are in the process of amending program statement for CDBG funds which will clear the way for spending CDBG funds as soon as received, that through help of HUD have accelerated that process (a 45-day process to a 7-day process), that the public hearing process will open today with final action at next meeting; fourth, requesting that Grand Forks Homes be allowed to develop an additional 33 homes in Richard West's Subdivision for development and will sell at their cost, monies generated from sale of lot will go into escrow account for development of additional lots, that these homes will be available to anyone making less than 120% of the median income which is around \$42-43,000 year for a family of four, however, Grand Forks Homes will be interested in looking at families that make more than that who have been negatively impacted by the flood. He stated that the houses will be slightly larger than the houses previously built, and will be available this fall; fifth, they are in the process of inventorying local developers to see what kind of response local developers plan on providing, that there are about 400 developed lots available in the city, and how many completed, etc. 6) The Grand Forks Regional Economic Development Office is in the process of buying additional land

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in the Industrial Park near Cirrus Design project (about 80 acres), and plan is to request FEMA to install infrastructure and to provide temporary parking space for mobile homes, FEMA has told us that anyone who needs a mobile home can get one, but no place to park in city at this time, this project will be bid by the Corps of Engineers and infrastructure put in by the Corps and those lots available later this summer. The council will need to examine policies and procedures on who is eligible, and staff recommendation is those people whose houses demolished by the flood, that will provide immediate housing assistance to residents who lost their homes.

It was noted that if someone needs a trailer or mobile home they need to contact FEMA, and FEMA will inform Urban Development who will make arrangements for placing in the mobile home park. It was also noted that CDBG funds will be available to assist small businesses, application process with SBA same process they would use, CDBG funds could be layered with SBA funds. Mr. O'Leary stated how much can you do before grant awarded, could be obligating funds not yet approved. He stated that if they want to make that commitment to small businesses it is their discretion to do that but need to get formal approval from HUD for pre-agreement costs, he stated that they will get some funds from CDBG but don't know amount, and out of those funds will be relocation costs, downtown revitalization and many other things, that they would like to see emergency fund set up for small businesses that could respond to immediate cash flow needs of small businesses, and would ask those business to contact his office and they are taking pre-applications.

There was some discussion as to who people who didn't live behind dike would contact for assistance (Chestnut, Walnut, Vail Circle), Mr. O'Leary stated it would be best to defer that decision until do more in depth analysis.

Thomas Lax, 1116 2nd Avenue North, stated that the government has no concept of what is happening, asked why they have to continue to spend money on studies when they know what happened, and get something done. He also stated that the advisory councils, etc, have not involved private citizens, that they don't want to be told by the government how city will grow but want to tell government how they want to rebuild city.

4) Infrastructure, both repair and new established infrastructure:

Mr. Vein reported that under the Public Assistance Program they are approaching a change when going from emergency services to non-emergency services, one of those under emergency services is debris removal, whole city under contract and area west of Washington is about 50% complete, two contracts on east side of Washington with 17th Avenue S. being dividing line; temporary dikes being removed. He reported that there are in excess of 100 trucks hauling debris, and last Friday hauled over 5 million pounds or in excess of 1400 truckloads of debris went to landfill in one day. He reported that of 15,000 NSP customers that didn't have service are about down to 1200. He reported that water distribution systems are pressurized with exception of areas in Riverside area and Lincoln Park areas. He also reported that the entire city has wastewater service with exception of areas in Lincoln Drive, where have had break in line. but is being repaired. He reported that all City buildings being repaired, M.A. Mortenson under contract and administering those contracts. He reported they are now going to have to get into areas of non-emergency repairs, that these are quite extensive (water treatment, water distribution, wastewater collection and lift stations, storm sewer collection and storm lift stations, entire road and transportation system, including signal lights, street lights, etc.), bridges, dam repairs and there is in excess of about \$250 million estimated in total repairs, and will start addressing those repairs.

Council questioned effect on landfill closure, Mr. Vein this will make closing easier, most debris inert, and in his discussions with Mr. Newman, they have capacity to handle amount of debris being hauled to the landfill.

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Several individuals in the audience addressed council re. location of dike and/or diversion:

Dave Rush, 812 North 4th Street.

Robert Turner, 1418 Lincoln Drive

Dr. Carter, Lord Circle

Harry Miskavige, 246 Northridge Hills.

5) Redevelopment of local government:

The city auditor reported that it is incumbent upon City to provide basic services to residents, such as public safety (police, fire), public works, etc.; problem they foresee is that revenue stream hit severely and see increase work-load and demand for services to rebuild community. He stated they will be putting together final insurance claims, final disaster site reports together so can receive funding they need for items reported by Mr. Vein which total some-where around \$250 million, and getting to point of receiving advance funds. He reported they will be reviewing each development program for funding sources and impact on citizens, that community hard pressed to pay shares that may be requested, and need to proceed and analyze full impact of funding impacts for 1997, and need to put together 5-year operating and capital recovery plan and will be using professionals from HUD who have been through these disasters before, real key is to try to get sound plan as to how quickly they may re-develop, rebuilding housing to fund basic services, and will be looking at that. He stated that one of the key for redeveloping, and one of those is restarting billing process in the utility area. He stated at the council's last meeting they approved an amendment to ordinances waiving fees, etc. and also gave him authority as finance director to reinstitute fees when he felt it was appropriate. He stated he would be asking for that this evening, but also requesting some waivers of certain fees that will amount to about \$1.6 million but thinks appropriate waivers, and will be putting together plan to take to the State asking for their assistance to alleviate load on local taxpayer, need to get to point where start spreading burden, and put together plan to request from State to assist with federal funding in trying to alleviate burden as much as possible.

Several individuals in the audience made comments, questions, etc.

Mary Ann Hastings, Berry Best, small business located on S. Washington Street

Mayor Owens reported that a committee has been established for the Greater Grand Forks Flood Recovery Fund, to establish guidelines, etc.

Individual who lives at corner of Lincoln and Almonte Avenue

Linda Gustafson, Vail Circle

Vern Sander, 317 Euclid Avenue

Earl Strinden, 2812 Chestnut Street

Diane Sulerud, 519 Lincoln Drive

Dave, 118 Belmont Road

A FEMA representative stated they had representatives present who would meet with people one on one to answer questions and/or give assistance.

Bob Gustafson, Chamber of Commerce
Dee Breitwieser, Olson Drive
Maurice Bushaw, 1601 University Avenue
Rick Alston, Dakota Systems, 1208 S. Washington Street

It was moved by Council Member Glassheim and seconded by Council Member Hamerlik to authorize staff to begin the process of voluntary acquisition and relocation.

Carried 12 votes affirmative.

It was moved by Council Member Glassheim and seconded by Council Member Klave to

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authorize City officials to identify structures which are an imminent danger and recommended for demolition. Mr. Swanson advised that no motion would be required as the City Code gives authority for that, however, if wish to take to step of voluntary demolition, would require authorization by council. It was then moved by Council Member Glassheim and seconded by Council Member Klave to authorize staff to identify structures for voluntary demolition.

Mr. Swanson reported that those properties that are posing imminent danger to public health or safety would be demolished and debris removed at no cost to the property owner, that if it is intent of this motion, that once list developed, would come back and identify what properties are out there that people are seeking to have demolished and debris removed, council could then authorize removal at cost or without cost. He stated that at this point he interprets motion as starting list to gather information. He stated that those homes that pose imminent danger, if have consent of property owner, could demolish within days, if do not have consent of the property owner, there is a process that will have to be followed and will delay process somewhat. Mr. Swanson also reported that if structure demolished and danger removed, issue of liability for injuries on the property pretty well resolved.

The city auditor reported that as far as reappraisal for tax purposes, the current tax year based on appraisal done year ago February, however, the assessing department will be going out and reappraising those properties; as far as utility bills, they will be looking for council to authorize them to waive future billings in those areas after April 15 where utilities cannot and will not be returned to the property, and in many areas will be as flexible on billings as possible realizing the impact on the community and work with anyone re. payment schedules, etc.

After further discussion and upon call for the question, the motion carried 12 votes affirmative.

It was moved by Council Member Glassheim and seconded by Council Member Hamerlik to authorize City officials to waive minimum charges for water and wastewater for April and May, and in areas of Riverside, Lincoln and Central Park areas, as well as other areas where they have not regained water service, to write off the system so not billed after April 16, 1997 and also write off those same residents so that they will not be billed

for storm sewer charges, and waive any penalty fees.

It was noted that the engineering office and planning office will provide listing of those areas to delete from billing records.

Upon call for the question and upon voice vote, the motion carried 12 votes affirmative.

It was moved by Council Member Glassheim to authorize Grand Forks Homes to develop 32 lots in the Burdick Addition for immediate development, and to give Grand Fork Homes remaining lots in the Burdick Addition for \$1.00 and other and valuable consideration. Council Member Beyer seconded the motion. Upon call for the question and upon roll call vote, the following voted "aye": Council Members Beach, Polovitz, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; voting "nay": none. Mayor Owens declared the motion carried.

Mr. Swanson reported that the original moratorium imposed by council two weeks ago prohibited the issuance of building permits for any property to be repaired or built beyond a set line, and at the last council meeting abandoned the line approach and reduced the moratorium to only those structures damaged more than 50%; and that he recommended that this body reduce one more step, that the only

prohibition on the issuance of building permits would be with regard to those

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structures damaged more than 50% and lie within the 100-year floodplain. The effect of that would allow any structure outside the floodplain irregardless of its damage to be reconstructed if the owner so chooses. It was so moved by Council Members Glassheim and Polovitz.

Council Member Bakken moved an amendment to the motion to eliminate requirement for building permits for those buildings damaged by the flood; the motion died for lack of a second.

Bruce Melin, building inspector, stated that the council reduced building permit fees by 25%, and stated that Council Member Bakken's motion was a good one, that inspections and permits are needed, but fees not needed, neither for building permits, plumbing permits nor heating permits; that these are permits/fees that the City would not have had, were it not for the flood, and are a minor amount of the City's budget.

The city auditor reported these fees were not anticipated, City required to continue to provide basic services, etc. continuation of government that we have to provide, but cannot give up those sources of revenue.

Shurkey Swanke, 1506 South 15th Street, addressed council re. permits and Codes.

Upon call for the question and upon voice vote, the motion carried 12 votes affirmative.

It was moved by Council Member Glassheim and seconded by Council Member Carpenter to approve the flood response recovery team.

Mr. Vein reported that information had been distributed, one re. recovery team and process used in implementing tasks; the recovery team would consist of three people listed as Tri-chairs, John O'Leary, John Schmisek and himself, and they would work with staff and other city departments, with Mr. Swanson's office, the HUD consultants from whom they received \$1 million grant to work in planning and organization, and private consultants that would be necessary; the recovery team would work with other governmental agencies such as State, Federal agencies, Grand Forks County, standing committees of the council, school system, general public, special interest groups, business redevelopment task force, and any others associated with that, and make recommendations in the recovery process to a flood response committee, the flood response committee would be made up of four members, one from each of the standing committees and they would receive input from the recovery team and public input, and committee would work back and forth with standing committee, and flood response committee would work as an additional committee who would make recommendations to the city council and council working on those recommendation.

It was suggested that each committee would select their own member for the committee, and committee would act on behalf of the council on an emergency basis.

Upon call for the question, the motion carried 12 votes affirmative.

The following were appointed to the flood response committee: Council Member Hafner to represent the public service committee; Council Member Polovitz to represent urban development; Council Member Glassheim to represent public safety committee. It was moved by Council Members Hagness and Beyer to approve appointment of the three council members as members of the flood response committee. Carried 12 votes affirmative.

It was moved by Council Member Glassheim and seconded by Council Member Sande to authorize staff to analyze financial impact of the flood on the city and to develop a five-year capital recovery plan. Council Member Sande seconded the

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motion. Carried 12 votes affirmative.

It was moved by Council Member Glassheim to request staff to develop a report on damages suffered, list of needs and request assistance from the State of North Dakota. Council Member Beyer seconded the motion. Carried 12 votes affirmative.

HOLD PUBLIC HEARING ON PROPOSED AMENDMENT TO CITIZEN PARTICIPATION PLAN AND 1997 ACTION PLAN

The city auditor reported that notice of public hearing on the propose amendment to the Citizen participation Plan and the 1997 Annual Action Plan for the Consolidated Plan, which incorporates the Community Development Block Grant (CDBG) Program to allow the prompt expenditure of its current CDBG allocation, any unobligated prior year CDBG funds and

supplemental HUD monies in order to provide disaster relief, had been published as required and that no comments had been filed with his office.

The city auditor reported that the council would be opening the public hearing this evening and that the public hearing would be held open until May 27, 1997 at 5:00 p.m. He noted that the public notice stated that the council will meet on Tuesday, May 27, at 5:00 p.m. at the Chester Fritz Auditorium, however, the council chambers will be available at that time.

It was moved by Council Members Glassheim and Polovitz that the notice be amended to change place of public hearing from the Chester Fritz Auditorium to the council chambers. Carried 12 votes affirmative.

Mayor Owens called for the public hearing, there were no comments.

It was then moved by Council Member Polovitz and seconded by Council Member Sande to continue the public hearing to May 27, 1997 at 5:00 p.m. Carried 12 votes affirmative.

APPROVE BILLS

Vendor Payment Listing No. 97-06, dated May 19, 1997 and totaling \$1,361,601.72, all having been audited by the city auditor for payment in accordance with Regulation No. 2, was presented and read.

It was moved by Council Member Carpenter and seconded by Council Member Babinchak that these bills be allowed and that the city auditor be authorized to issue warrants in payment of the same. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; voting "nay": none. Mayor Owens declared the motion carried and the bills ordered paid.

AUTHORIZE STAFF TO NEGOTIATE SELECTION OF ARCHITECT/ENGINEER FOR RESTORATION OF CITY FACILITIES

Committee No. 3, Public Service, reported having considered the matter of expediting architect/engineer selection process for City facilities restoration, and recommended to authorize engineering department to negotiate selection of architect/engineer and to make recommendation to committee and council.

It was moved by Council Member Beyer and seconded by Council Member Hafner that this recommendation be and is hereby approved. Carried 12 votes affirmative.

AUTHORIZE STAFF TO EXPEDITE CONTRACTOR SELECTION FOR RESTORATION OF CITY FACILITIES

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Committee No. 3, Public Service, reported having considered the matter of expediting contractor selection for restoration of City facilities, and

recommended to approve expediting the process for selection of project contractors by using a 24-48 hour bidding process.

It was moved by Council Member Beyer and seconded by Council Member Hafner that this recommendation be and is hereby approved.

Mr. Swanson reported that with regard to contractor selection we do not have a waiver of State law for the waiver of bidding requirements for improvements to public buildings so will have to follow statutory provisions until the Governor issues an executive order waiving some of those requirements. He stated that he believes the motion on the floor is adequate and that the executive order will impact that one way or the other, and only affect are public buildings and some special assessment projects but that he wouldn't suggest any amendment to the motion.

Upon call for the question the motion carried 12 votes affirmative.

URGE STATE TO CONTINUE ONE-STOP LICENSING
OF CONTRACTORS

Committee No. 3, Public Service, reported having considered the matter of licensing of contractors during flood disaster emergency, and recommended urging the State to continue the one-stop licensing of contractors.

It was moved by Council Member Beyer and seconded by Council Member Hafner that this recommendation be and is hereby approved. Carried 12 votes affirmative.

ACCEPT BID FOR FRONT-END LOADER FOR STREET
DEPARTMENT

Committee No. 3, Public Service, reported having considered the matter of bids for front-end loader for street department, and recommended to accept the bid of Krider Equipment in the amount of \$130,133.00, less trade-in of \$20,700.00, plus repair expenses in the amount of \$8,930.00, maintenance expenses in the amount of \$12,500.00, plus a three-way plow in the amount of \$11,242.00 and forks, \$6,109.00, for a total bid of \$148,314.00.

It was moved by Council Member Beyer and seconded by Council Member Hafner that this recommendation be and is hereby approved.

Paul Sandstrom, RDO Equipment, and Harry Anderson, Krider Equipment, were present. Mr. Sandstrom protested award of bid to Krider Equipment, that bid was to be awarded on basis of lowest cost of use in five-year period, including resale, and they were low bidder when bids opened, that changed between when opened and presented to committee. He stated he wasn't sure what changed bid (error in math, etc.), and second item he has problem with is scheduled main-tenance. He also stated that they worked during flood with equipment and employees and won't recoup those costs and now for \$100 City will buy from out of town.

Council Member Hagness reported that the public service committee set criteria, and are leaving it to department to make recommendation to the committee, that committee/council can't get into every bid item so micro-managing departments, that department recommended this and they are following that recommendation.

Harry Anderson, Krider Equipment, stated that this was second bid, and wanted to clarify misinformation, that he had provided information to the department to write specifications and it was taken that he had written specs, which he did not.

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After further discussion and upon call for the question, and upon roll call the following voted "aye": Council Members Beach, Polovitz, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; voting "nay": none. Mayor Owens declared the motion carried.

TABLE MATTER OF FINAL PLAT OF PERKINS
FOURTH ADDITION TO JUNE 16, 1997

The City Planning and Zoning Commission reported having considered the matter of the request from Pribula Engineering and Surveying on behalf of David Parker for final approval of a plat of Perkins Fourth Addition to the city of Grand Forks, ND, lying within a portion of the Northeast Quarter of Section 20, Township 151 North, Range 50 West of the 5th Principal Meridian (located east of South 34th Street between 36th and 40th Avenues South), and recommended tabling this request to May 19, 1997.

The city auditor reported that the Planning Commission has not met since this recommendation was made, that they won't be meeting until June 4, 1997 and asked that this matter be continued to June 16, 1997.

It was moved by Council Member Glassheim and seconded by Council Member Hagness to table this matter to June 16, 1997. Carried 13 votes affirmative.

REPORT FROM MAYOR

Mayor Owens reported that she lobbied in Washington for many days, that John O'Leary, John Schmisek and Ken Vein accompanied her to Washington, that she was proud of ND delegation and the Governor who worked very hard for Grand Forks and took lot of effort to obtain the \$500 million for disaster, and that bill should be signed by Memorial Day.

APPROVE ESTIMATES, VARIOUS PROJECTS

Estimate Summary No. 297, dated May 19, 1997 and totaling \$219,381.28, was presented and read.

It was moved by Council Member Sande and seconded by Council Member Klave that these estimates be and are hereby approved and that the city auditor be and is hereby authorized to issue warrants in payment of the same. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Hamerlik, Glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; voting "nay": none. Mayor Owens declared the motion carried.

APPROVE CONTRACT WITH NEW FLYER INDUSTRIES,
LTD.

The Bus Committee reported having considered the matter of approval of contract with New Flyer Industries, Inc. in the amount of \$238,960, and recommended approval of contract with New Flyer Industries, Ltd. in the amount of \$238,960 and authorization of all proper officials to execute documents.

It was moved by Council Member Sande and seconded by Council Member Polovitz that this recommendation be and is hereby approved. Upon roll call the following voted "aye": Council Members Beach, Polovitz, Hamerlik, glassheim, Carpenter, Sande, Klave, Beyer, Babinchak, Bakken, Hafner, Hagness - 12; voting "nay": none. Mayor Owens declared the motion carried.

APPROVE FINANCE COMMITTEE REPRESENTATIVE
TO THE FLOOD RESPONSE COMMITTEE

Council Member Carpenter reported that Council Member Bakken would represent the
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finance committee on the flood response committee and so moved, Council Member Glassheim seconded the motion. Carried 13 votes affirmative.

REFER VARIOUS ITEMS TO COMMITTEE

Various items were presented to council and/or referred to committee:

- 1) Council Member Glassheim presented the matter of getting second opinion on the water issue and the matter of the line; Mayor Owens referred these matter to the flood response committee.
- 2) Council Member Hagness presented matter of offer from KCNN Radio to host neighborhood "townhall" meetings re. flood recovery process and location of the floodway, and that if council would like to try this, questions could be presented; that this is another alternative to neighborhood meetings, and should be considered.
- 3) Council Member Hagness presented letter from Morris Davidson, NDSU Extension Service, inviting council members and department heads to attend session on May 23 sponsored by some people from Florida re. addressing issues dealing with people who have been impacted by disaster. Information. Council Member Beyer reported that there was committee at Chamber of Committee, on how to help people recover, and their involvement would be very good.

ADJOURN

It was moved by Council Member Hamerlik and seconded by Council Member Bakken that we do now adjourn until Tuesday, May 27, 1997 at 5:00 p.m. Carried 13 votes affirmative.

Respectfully submitted,

John M. Schmisek
City Auditor

Approved:

Patricia A. Owens, Mayor